



3725
PATENT R/P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Toshiaki KANEMITSU et al.)	Group Art Unit: 3725
)	
Serial Number: 08/669,313)	Examiner: L. A. Larson
)	S. Marcus
)	
Filed: July 8, 1996)	Attorney Docket: KANE3011/FJD
)	
For: SHEET METAL MEMBER HAVING AN)	
ANNULAR PERIPHERAL WALL AND A)	
METHOD OF THICKENING AN ANNULAR)	
PERIPHERAL WALL OF THE SHEET)	
METAL MEMBER)	

REQUEST FOR CLARIFICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On September 29, 2004, a NOTICE FOR IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE) was issued in the above noted application.

The RCE referred to was filed on September 12, 2003, which predates the NOTICE mentioned by almost one year. A copy of the RCE transmittal sheets, the date-stamped receipt card and the COMMENT and PRELIMINARY AMENDMENT filed with the RCE are enclosed. The COMMENT makes it clear why the RCE was filed.

In the NOTICE it is stated "The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office Action or notice of allowance continues to run from the mailing date of that action or notice."

Serial Number: TBA
Attorney/Docket No.: KANE3010/FJD

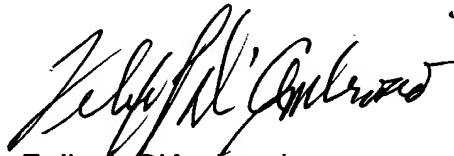
The Notice of Allowance was issued June 2, 2003, which is almost sixteen (16) months prior to the date of the NOTICE mentioned.

There is no provision in the rules known to the undersigned for dealing with this matter in view of the time differences.

Mr. Marcus was telephoned and advised of the above. He indicated that he would investigate the matter. The undersigned was hoping to receive a reply by now, but since no reply has been received this request is being filed for clarification.

It is respectfully submitted, that the NOTICE should be withdrawn and the RCE of September 2, 2003 acted upon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written in a cursive style.

Felix J. D'Ambrosio
Reg. No. 25,721

December 29, 2004

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JONES, TULLAR, & COOPER, P.C.

Patent Office date stamp acknowledges receipt of paper below:

Application of: Toshiaki Kanemitsu et al

Serial No. : 08/669,313

Filed : July 8, 1996

Title : SHEET METAL MEMBER HAVING AN ANNULAR PERIPHERAL
WALL AND A METHOD OF THICKENING AN ANNULAR.....

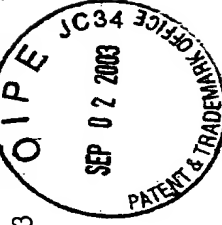
Title of Paper : RCE transmittal, comment and preliminary
amendment filed 4/14/2003

Date of Paper : September 2, 2003

Fee Payment : \$375, Chk #18237

Case No. :

By : FJD:pp





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Toshiaki Kanemitsu et al) Art Unit: 3725
Appln. No. : 08/669,313) Ex: L. Larson
Filed : July 8, 1996)
For : SHEET METAL MEMBER HAVING)
AN ANNULAR PERIPHERAL)
WALL AND A METHOD OF)
THICKENING AN ANNULAR)
PERIPHERAL WALL OF THE)
SHEET METAL MEMBER)

COMMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

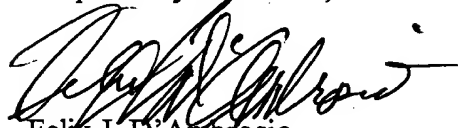
Sir:

These comments are being submitted with the further RCE being filed on even date herewith.

With the RCE applicant has submitted a copy of the Preliminary Amendment filed with the former RCE filed on April 14, 2003. The intent of filing the previous RCE and the present RCE is for the purpose of reopening prosecution to consider an issue not considered on appeal and also for the purpose of submitting a declaration of Mr. Kanemitsu, who is a co-inventor here and in Patent No. 5,396,787.

The examiner is urged to reopen prosecution so that the further issue can be considered and the declaration filed

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written in a cursive style.

Felix J. D'Ambrosio

Reg. No. 25,721

September 2, 2003

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